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FILED IN THE U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

APR 17 2024

SEAN F. McAVOY, CLERK  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

4:24-CR-6008-MKD

**Plaintiff,**

## INDICTMENT

V.

ANDREW STEVEN OTTO,

Vio: 18 U.S.C. § 2251(a), (e)  
Production and Attempted  
Production of Child  
Pornography  
(Count 1)

Defendant.

18 U.S.C. § 2422(b)  
Attempted Online Enticement  
of a Minor  
(Count 2)

18 U.S.C. § 875(d)  
Extortion  
(Count 3)

18 U.S.C. § 2253, 18 U.S.C.  
§ 2428, 18 U.S.C.  
§ 981(a)(1)(C), 28 U.S.C.  
§ 2461(c)  
Forfeiture Allegations

The Grand Jury charges:

1 COUNT 1  
2

3 Between on or about November 28, 2023, and on or about December 17,  
4 2023, in the Eastern District of Washington and elsewhere, the Defendant,  
5 ANDREW STEVEN OTTO, did knowingly employ, use, persuade, induce,  
6 entice, and coerce, and attempt to employ, use, persuade, induce, entice, and  
7 coerce, a minor, namely Minor 1, to engage in sexually explicit conduct as  
8 defined in 18 U.S.C. § 2256(2)(A), for the purpose of producing any visual  
9 depiction of such conduct, knowing and having reason to know such visual  
10 depiction would be transported and transmitted using any means and facility of  
11 interstate and foreign commerce, and in and affecting interstate and foreign  
12 commerce; and such visual depiction having been produced using materials that  
13 had been mailed, shipped, and transported in and affecting interstate and foreign  
14 commerce by any means, including by computer; and such visual depiction was  
15 actually transported and transmitted, using any means and facility of interstate  
16 and foreign commerce, and in and affecting interstate and foreign commerce, all  
17 in violation of 18 U.S.C. § 2251(a), (e).  
18

19 COUNT 2  
20

21 Between on or about November 28, 2023, and on or about December 17,  
22 2023, in the Eastern District of Washington and elsewhere, the Defendant,  
23 ANDREW STEVEN OTTO, did unlawfully and knowingly attempt to use a  
24

1 facility and means of interstate and foreign commerce to persuade, induce, entice,  
2 and coerce Minor 1, an individual who had not attained the age of 18 years, to  
3 engage in prostitution or any sexual activity for which a person can be charged  
4 with a criminal offense, including, 18 U.S.C. § 2251(a), Production of Child  
5 Pornography, all in violation of 18 U.S.C. § 2422(b).

6  
7  
8 COUNT 3  
9

10 Between on or about December 14, 2023, and on or about December 17,  
11 2023, in the Eastern District of Washington and elsewhere, the Defendant,  
12 ANDREW STEVEN OTTO, did, with the intent to extort from Minor 1 a thing of  
13 value, to wit: images of Minor 1 in various states of undress, did transmit in  
14 interstate and foreign commerce, via the internet, communications containing a  
15 threat to injure the reputation of Minor 1, in violation of 18 U.S.C. § 875(d).  
16  
17

18 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS  
19

20 The allegations set forth in this Indictment are hereby realleged and  
21 incorporated by reference for the purpose of alleging forfeitures.

22 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in  
23 violation of 18 U.S.C. § 2251(a), (e), as alleged in Count 1 of this  
24 Indictment, the Defendant, ANDREW STEVEN OTTO, shall forfeit to the  
25 United States of America any visual depiction described in section 2251,  
26 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book,  
27  
28

1 magazine, periodical, film, videotape, or other matter which contains any  
2 such visual depiction, which was produced, transported, mailed, shipped or  
3 received in violation of this chapter; any property, real or personal,  
4 constituting or traceable to gross profits or other proceeds obtained from  
5 such offenses; and, any property, real or personal, used or intended to be  
6 used to commit or to promote the commission of such offenses, or any  
7 property traceable to such property.

8 Pursuant to 18 U.S.C. § 2428, upon conviction of an offense in  
9 violation of 18 U.S.C. § 2422, as alleged in Count 2 of this Indictment, the  
10 Defendant, ANDREW STEVEN OTTO, shall forfeit to the United States of  
11 America, any property, real or personal, that was used or intended to be used  
12 to commit or to facilitate the commission of the offense and any property,  
13 real or personal, constituting or derived from any proceeds obtained, directly  
14 or indirectly, as a result of the offense.

15 Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon  
16 conviction of an offense in violation of 18 U.S.C. § 875(d), as alleged in  
17 Count 3 of this Indictment, the Defendant, ANDREW STEVEN OTTO,  
18 shall forfeit to the United States of America, any property, real or personal,  
19 which constitutes or is derived from proceeds traceable to the offense.

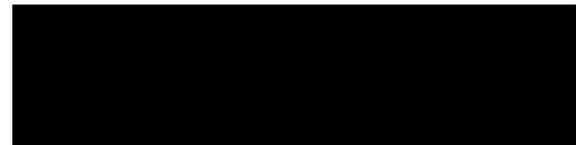
If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) or 28 U.S.C. § 2461(c).

DATED this 16 day of April, 2024.

A TRUE BILL



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